

### REMARKS

In this application, Claims 6-7 are pending and presently rejected. In order to expedite prosecution of the present Application, Applicants have amended Claim 6. Thus, Claims 6-7 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

### SECTION 103 REJECTIONS

Claims 6-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,750,118 (Reissue Patent No. 37,986) to Heitschel et al. (hereinafter "*Heitschel*") in view of U.S. Patent No. 5,686,904 to Bruwer (hereinafter "*Bruwer*"). Claims 6-7 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over *Heitschel* in view of U.S. Patent No. 5,798,711 to Issa (hereinafter "*Issa*"). In addition, Claims 6-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,046,680 to Soenen et al. (hereinafter "*Soenen*") in combination with *Issa*. Applicants respectfully traverse these rejections.

#### *Heitschel* in combination with *Bruwer*; *Heitschel* in combination with *Issa* (Claims 6 & 7)

Independent Claim 6 recites, in part: "a memory having discrete locations for storing information associated with a transmitter of said set, (ii) processing circuitry within said receiver of said designated manufacturer **storing**, during the program mode, transmitter information corresponding to **a first transmitter, randomly in an unused discrete memory location**, or if all said discrete memory locations are used, then by randomly replacing the information stored in one of the used, discrete memory locations with said new information, and (iii) processing circuitry within said receiver of said designated manufacturer **storing**, during the program mode, transmitter information corresponding to **a second transmitter, randomly in an unused discrete memory location**, or if all said discrete memory locations are used, then by **randomly replacing the information** stored in one of the used, discrete memory locations with said new information." (emphasis added). Applicants respectfully submit that the proposed combination of references does not disclose, teach or suggest all claim limitations of amended independent Claim 6. For example, the system disclosed in *Heitschel* discloses a garage door opening system that uses a non-random switching arrangement for precisely directing transmitter codes into pre-selected addresses (Col. 4, Lines 15-68). Thus, *Heitschel* does not disclose "processing circuitry within said receiver . . . storing . . . transmitter information corresponding to a transmitter, randomly in an unused discrete memory location, or if all said discrete memory

locations are used, then by randomly replacing the information stored in one of the used, discrete memory locations with said new information" as recited by independent Claim 6 (emphasis added). To the contrary, *Heitschel* uses a non-random switching arrangement. Accordingly, Applicants respectfully submit that the proposed combination does not disclose, teach or suggest all claim limitations of independent Claim 6.

The system in *Bruwer* writes to memory blocks depending on the value of a pointer used and held in the memory block. Subsequent pointers are managed according to a variety of different schemes, including 1) cycling the pointer through the available memory locations, i.e., sequential non-random locations; and 2) allowing the user to set the pointer from the outside, i.e., using a switch to select non-random switching arrangements. See, *Bruwer* at Col.17 lines 56-61 and Col. 19, lines 58-66. Thus *Bruwer* does not disclose at least the following element of Claim 6: "processing circuitry within said receiver of said designated manufacturer storing, during the program mode, transmitter information corresponding to a second transmitter, randomly in an unused discrete memory location, or if all said discrete memory locations are used, then by randomly replacing the information stored in one of the used, discrete memory locations with said new information".

The system in *Issa* discloses storage of data from remote-controlled transmitters into the memory of a controller, but is silent as to how the memory is stored. See, *Issa*, Figs. 5, 9A, 9B, 10A, and 10B, Col. 14, line 60 though Col. 18, line 29 and Col. 24, line 16 though Col. 26, line 25.

Thus, Applicants respectfully submit that independent Claim 6 is patentable over the proposed combination of references.

Independent Claim 7 recites, in part: "at least one radio frequency transmitter from a designated manufacturer, said at least one transmitter having associated therewith a transmitter identifying code unique to that transmitter", "a radio frequency receiver operable between a program mode and an operate mode and including a memory having discrete locations for storing information identifying said at least one transmitter", "said radio frequency receiver adapted to receive and process, during the program mode, radio frequency transmissions from multiple transmitters, including the unique transmitter identifying code", and "processing circuitry within the receiver for **storing**, during the program mode, transmitter information corresponding to the **at least one transmitter, randomly in an unused discrete memory location**, or if all said discrete memory locations are in use, then by **randomly replacing information** stored in one of the in use discrete memory locations with the transmitter information corresponding to the at least one transmitter" (emphasis added). For at least the reasons discussed above in

connection with independent Claim 6, Applicants submit that independent Claim 7 is also patentable over the proposed combination of references.

Soenen in combination with Issa (Claims 6 & 7)

Independent Claim 6 recites, in part: “a memory having discrete locations for storing information associated with a transmitter of said set, (ii) processing circuitry within said receiver of said designated manufacturer storing, during the program mode, transmitter information corresponding to a first transmitter, randomly in an unused discrete memory location, or **if all said discrete memory locations are used, then by randomly replacing the information** stored in one of the used, discrete memory locations with said new information, and (iii) processing circuitry within said receiver of said designated manufacturer storing, during the program mode, transmitter information corresponding to a second transmitter, randomly in an unused discrete memory location, or **if all said discrete memory locations are used, then by randomly replacing the information** stored in one of the used, discrete memory locations with said new information.” (emphasis added). Applicants respectfully submit that the proposed combination of references does not disclose, teach or suggest all claim limitations of amended independent Claim 6. For example, the system disclosed in *Soenen* discloses a method in which identification codes are added to a list of authorized codes in the memory of a receiver (*Soenen*, Col. 14, Lines 29-36). *Soenen* appears to further disclose that “[t]he receiver can learn up to four transmitter codes. If programming is attempted for the fifth time, the receiver overwrites the first stored code (*Soenen*, Col. 14, Lines 33-36) (emphasis added). Thus, *Soenen* does not disclose “processing circuitry within said receiver . . . storing . . . transmitter information corresponding to a first transmitter, randomly in an unused discrete memory location, or if all said discrete memory locations are used, then by randomly replacing the information stored in one of the used, discrete memory locations with said new information” as recited by independent Claim 6 (emphasis added). *Issa* appears to be silent as to how the memory is stored, and does not remedy the deficiency of *Soenen*. See, *Issa*, Figs. 5, 9A, 9B, 10A, and 10B, Col. 14, line 60 though Col. 18, line 29 and Col. 24, line 16 though Col. 26, line 25. Thus, Applicants respectfully submit that independent Claim 6 is patentable over the proposed combination of references.

Independent Claim 7 recites, in part: “processing circuitry within the receiver for **storing**, during the program mode, transmitter information corresponding to the **at least one transmitter, randomly in an unused discrete memory location**, or if all said discrete memory

locations are in use, then by **randomly replacing information** stored in one of the in use discrete memory locations with the transmitter information corresponding to the at least one transmitter" (emphasis added). Applicants respectfully submit that the proposed combination of references does not disclose, teach or suggest all claim limitations of amended independent Claim 7. For example, the system disclosed in *Soenen* discloses a method in which identification codes are added to a list of authorized codes in the memory of a receiver (*Soenen*, Col. 14, Lines 29-36). *Soenen* appears to further disclose that "[t]he receiver can learn up to four transmitter codes. If programming is attempted for the fifth time, the receiver overwrites the first stored code (*Soenen*, Col. 14, Lines 33-36) (emphasis added). Thus, *Soenen* does not disclose "... **storing**, during the program mode, transmitter information corresponding to the **at least one transmitter, randomly in an unused discrete memory location**, or if all said discrete memory locations are in use, then by **randomly replacing information** stored in one of the in use discrete memory locations with the transmitter information corresponding to the at least one transmitter" as recited by independent Claim 7 (emphasis added). *Issa* appears to be silent as to how the memory is stored, and does not remedy the deficiency of *Soenen*. See, *Issa*, Figs. 5, 9A, 9B, 10A, and 10B, Col. 14, line 60 through Col. 18, line 29 and Col. 24, line 16 through Col. 26, line 25. Thus, Applicants respectfully submit that independent Claim 7 is patentable over the proposed combination of references.

#### **REQUEST FOR CONTINUED EXAMINATION**


Applicants respectfully request that the submitted request for continued examination be entered and the pending claims be reconsidered. Applicants authorize The Commission to charge the required fee of \$810 for a large entity to Deposit Account 07-0153 (125426-1089).

**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

Respectfully submitted,

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